

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CASE NO. 04-12730-MLW

LINWOOD S. HARRIS,
Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY AND SEARS, ROEBUCK
AND CO. LONG TERM DISABILITY
PLAN,
Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), plaintiff Linwood Harris and defendants Metropolitan Life Insurance Company, Sears, Roebuck & Co. Long-Term Disability Plan, and Sears, Roebuck & Co. (collectively referred to as the “Defendants”) hereby stipulate that all claims against the Defendants are to be dismissed with prejudice, with all parties to bear their own attorneys’ fees and costs, and with all rights of appeal waived.

LINWOOD HARRIS
By his attorney,

/s/ Robert D. Canty (by JLM)

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METROPOLITAN LIFE INSURANCE
COMPANY, SEARS, ROEBUCK & CO.
LONG-TERM DISABILITY PLAN, and
SEARS ROEBUCK & COMPANY,
By their attorneys,

/s/ Johanna L. Matloff

James F. Kavanaugh, Jr. (BBO No. 262360)
Johanna L. Matloff (BBO No. 655178)
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on the 24th day of October 2006. /s/ Johanna Matloff

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